IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 32160 of 2006(C)

PETITIONER:

SURENDRAN, AGED 56,
S/O.KRISHNA PILLAI, VANDANAPARAMBIL,
TEMPLE ROAD, NORTH PARUR, ERNAKULAM DISTRICT.

BY ADV. SRI.C.CHANDRASEKHARAN
SRI.P.VISWANADHA MENON

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY THE
CHIEF SECRETARY TO GOVT. OF KERALA,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE TAHSILDAR, TALUK OFFICE,
NORTH PARUR.

3. THE TALUK SURVEYOR,
THALUK OFFICE, NORTH PARUR.

BY GOVERNMENT PLEADER SRI. MOHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE RECEIPT DTD 30.11.2006 FOR PAYMENT OF TAX ISSUED BY THE VILLAGE OFFICE, VADAKKEKKARA.

EXT.P2: COPY OF THE APPLICATION DATED 3.4.06 SUBMITTED TO THE 2ND RESPONDENT.

EXT.P3: COPY OF G2/7673/06 DT.10.7.2006 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P4: COPY OF THE G2/7673/06 DT.8.11.06 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

TRUE COPY

P.A.TO JUDGE

K.BALAKRISHNAN NAIR, J.

WP(C).No.32160 of 2006-C

Dated this the 20th day of February, 2007.

JUDGMENT

The petitioner claims ownership and possession over 72 cents of land in Sy.No.279/4,1,5 of Vadakkekkara Village in Parur Taluk. He submitted an application for measuring the property and to fix its boundary, after remitting necessary fee, it is submitted. Pursuant to the said application, now Exts.P3 and P4 notices have been issued to survey the property. The same has not been so far completed. Hence, this writ petition.

2. I heard the learned Government Pleader for the respondents. The respondents raise various difficulties in doing the survey. If there is any defect in the application, the same shall be brought to the notice of the petitioner and he will cure it. Thereupon, the property of the petitioner shall be surveyed and a sketch shall be provided to him. While conducting the survey, the land owners in the neighborhood shall also be given notice. Surveyor will have no right to physically fix the boundary, if it is objected to by the neighbours.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS